UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,583	09/21/2001	David N. Brotherston	COF-0041	9398

7590 03/20/2007

ATTEN: BRIAN FURRER
ONDA TECHNO INTL. PATENT ATTYS.
12-1, OMIYA-CHO 2-CHOME
GIFU-CITY, 500-8731
JAPAN

EXAMINER	
AKINTOLA, OLABODE	
ART UNIT	**PAPER NUMBER**
3691	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/682,583	BROTHERSTON, DAVID N.	
	Examiner	Art Unit	
	Olabode Akintola	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 January 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 1 and 6 are objected to because of the following informalities: In claim 1, line 14, it is not clear what "external *vehicle* computer" is. In claim 6, it is not clear what "the terminal" represents. Appropriate correction/clarification is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7, 8, 10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Berry (US 5311302) ("Berry").

Re claims 7, 10 and 12: Berry teaches a system for fulfilling service orders on a transport vehicle, the system comprising an onboard computer transported with the vehicle and connections with electronic devices operated by vehicle personnel or passengers (abstract, col. 3, lines 4-54), the onboard computer including software, which when operated on the onboard computer and electronic devices causes the onboard computer to perform tasks comprising accepting service orders entered via the electronic devices by vehicle personnel or passengers and making the service orders accessible to vehicle personnel (abstract, col. 3, lines 4-54).

Re claims 8: Berry teaches the step wherein the electronic devices include passenger supplied personal information processing apparatus carried on by passengers (col. 2, lines 41-45).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berry.

Re claims 9 and 11: Berry does not teach wireless communication. Official notice is hereby taken that it is old and well known to use wireless communication technology between two electronic devices. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Berry to include wireless communication. One would have been motivated

to do this in order to eliminate wires associated with LANs, thereby reducing the amount of cable in the facility.

Claims 1-3, 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorr (US 4530067) ("Dorr") in view of Berry.

Re claim 1-3, 6 and 13: Dorr teaches a system comprising: (a) a plurality of computers that include an onboard computer, and an external computer not transported with the vehicle (col. 3, lines 4-54, Figures); (b) software installed on the onboard computer, the onboard computer software being operable on the onboard computer for causing the onboard computer to perform tasks including: i) obtaining service information from the external computer via communication with the external computer if a communication pathway to the external computer is open; and ii) providing access to service information by personnel for fulfillment of the service orders; and (c) software installed on the external computer, the external computer software being operable on the external computer for causing the external computer to perform tasks including: i) acquiring information to determine the available services provided ; and ii) managing the delivery of services ; and iii) making service information obtainable by the onboard computer (abstract, col. 2, lines 36- lines 64; Figs 1 and 2). Dorr does not explicitly teach that the onboard computer is transported with the vehicle. Berry teaches an onboard computer transported with a vehicle (section 0022). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Dorr to include this step as taught by Berry. One would have been motivated to do this in order to provide a commercial transport passenger with a computer for ordering of goods/services.

Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorr in view of Berry and further in view of Camaisa et al (US 5845263) ("Camaisa")/ Hall et al (US 6026375) ("Hall").

Re claims 4 and 14: Dorr does not explicitly teach accepting service orders prior to boarding and associates each service order with a vehicle departure and makes the information obtainable by the onboard computer. Camaisa/Hall teaches accepting service orders prior to boarding and associates each service order with a vehicle departure and makes the information obtainable by the onboard computer (Camaisa: col. 4, lines 17-23, col. 17, lines 8-17; Hall: col. 2, lines 32-35). It would have been obvious to one of ordinary skill in the art at the time of the invention to include this step. One would have been motivated to do this in order to direct services to appropriate seat/facility/location to coincide with customer's arrival.

Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorr in view of Berry in view of Camaisa and further in view of Roden et al (US 6249774) ("Roden").

Re claim 5: See claim 4, supra. Dorr does not explicitly teach the step wherein the external computer software is further operable on the external computer for analyzing at least one of historical service order information and currently entered service order information, and based on the analysis recommends vehicle inventory. Roden teaches the step wherein the external computer software is further operable on the external computer for analyzing at least one of

historical service order information and currently entered service order information, and based on the analysis recommends vehicle inventory (col. 7, lines 20-36, abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to include this step. One would have been motivated to do this in order to recommend replenishing item list.

Re claim 15: Dorr does not explicitly teach the step wherein if a service order includes a request for Internet access, the onboard computer provides Internet access to a connection at a passenger seat location corresponding to the service order, by making use of said communication route. Official notice is taken that it is old and well known to provide Internet access at a passenger seat location corresponding to the service order. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Dorr to include this step. One would have been motivated to do this in order to provide internet access to passengers while onboard.

Claims 16-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorr in view of Berry in view of Camaisa in view of Roden and further in view of Weber (US 6122620) ("Weber").

Re claims 16-17, 19-24: Dorr, Berry, Camaisa and Roden teach the limitations of claims 16-17 and 19-24, except the step of accessing database information pertaining to vehicle departure and destination. Weber teaches the step of accessing database information pertaining to vehicle departure and destination (col. 1, lines 53-65, col. 2, lines 34-40 and 55-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to include this step. One

would have been motivated to do this in order to collect and disburse information regarding flight information.

Re claim 18: Camaisa teaches the step wherein the other computers include kiosks at terminal areas (col. 6, lines 27-52)

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olabode Akintola whose telephone number is 571-272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA

/Hani/

HANI M. KAZIMI
PRIMARY EXAMINER